**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CRIMINAL APPELLATE JURISDICTION.**

**CRIMINAL APPEAL NO.56 OF 2000**

The State of Maharashtra : Appellant.

versus.

Arunkumar Mathurdas Sampat : Respondent.

Mr.B.R.Pati, Acting PP, for the State.

Mr.G.R.Agarwal for the respondent.

**CORAM : D.G.DESHPANDE,J.**

**DATED : 11th August 2004.**

**P.C.**

1. Heard Mr.Patil, Acting PP, for the State and the advocate for the respondent/accused. The appeal is filed by the State against the order of acquittal of the accused under Sections 351, 353, 506(2) of the Indian Penal Code. The complainant was working as an Executive Director, Kokan Irrigation Development Corporation, Thane. The accused was the contractor. It was alleged by

the complainant that over non-payment of bill, the accused entered his chamber and assaulted him. This case was not accepted by the trial Court because there was delay of 79 days. It is difficult for this Court to admit this appeal when there is such an inordinate delay for which there is no satisfactory explanation. Complainant was the officer knowing fully well that any delay in such a matter could be fatal, even then, he waited for 79 days and tried to explain that he was consulting to his superior. I do not find that the explanation is justifiable. There is no merit. Hence Appeal is dismissed.

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